

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

ROBERT L. PAVONE and VALERIE V.  
PAVONE,

Plaintiffs, 08 Civ.2389 (CLB/LMS)

-against-

LINDA PUGLISI, individually, ANN  
LINDAU, individually, FRANCIS X. NOTICE OF CROSS MOTION  
FARRELL, individually, JOHN SLOAN, TO DISMISS QUALIFIED  
individually, THOMAS WOOD,  
individually and the TOWN OF  
CORTLANDT, New York,  
IMMUNITY MOTION

Defendants.

-----x

Upon the annexed affirmation of Jonathan Lovett, duly  
sworn to July 29, 2008, the Civil Case Discovery Plan and  
Scheduling Order signed by the Hon. Charles L. Brieant on  
May 16, 2008, and the qualified immunity motion of  
Defendants Puglisi, Lindau, Farrell, Sloan and Wood,  
Plaintiffs will move this Court at the Courthouse, 300  
Quarropas Street, White Plains, New York, before a Judge of  
this Court, on a date and at a time to be fixed by the Court  
for an order dismissing as waived the said Defendants' pre-  
trial opportunity to assert by motion the defense of  
qualified immunity by reason of their having violated the

explicit terms of the said Order.

Dated: White Plains, N.Y.  
July 29, 2008

*JL*  
LOVETT & GOULD, LLP  
Attorneys for Plaintiffs  
By: \_\_\_\_\_  
Jonathan Lovett (4854)  
222 Bloomingdale Road  
White Plains, N.Y. 10605  
914-428-8401